



California State Board of Pharmacy

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STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GRAY DAVIS, GOVERNOR

**DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF PHARMACY
SOUTHERN COMPLIANCE COMMITTEE MEETING
MINUTES**

Corrected copy

DATE:

September 17, 2002

April 29, 2002

TIME:

10:00 a.m. – 4:15 p.m.

LOCATION:

Department of Toxic Substance Control
5796 Corporate Avenue
Cypress, CA 90630

BOARD MEMBER

PRESENT:

Stanley Goldenberg, Chairperson
Clarence Hiura, Board Member
William Powers, Board Member

STAFF

PRESENT:

Robert Ratcliff, Supervising Inspector
Judith K. Nurse, Supervising Inspector
Valerie Sakamoura, Pharmacy Inspector
De'Bora R. White, Pharmacy Inspector
Sarah Lopez, Pharmacy Inspector
Robert Kazebee, Pharmacy Inspector
Linda Kapovich, Enforcement Analyst

ALSO

PRESENT:

Kenneth Lee Stein, RPH, PIC
Leonard H. Spitzer, RPH
Paul Knerr, Director of Pharmacy
Michael Randall Tom, RPH, PIC
William Wong, RPH, former PIC
Pat Abe, VP of Pharmacy Operations
Van-Tung Vu, RPH, PIC, Owner
Ronald S. Marks, Attorney at Law
Steven Robert Akana, RPH, PIC
Asher Z. Gottesman, Director of Operations

Southern Compliance Committee

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Leon M. Abela, Jr. BS. R.N., VP of Operations
William Blair, RPH, PIC
Ronald M. McGuff, President
John A. Cronin, Attorney at Law
Laura Blair, RPH
Doug Tran, RPH
Damon Jones, Director of Operations
Leland Wakamatsu, RPH, PIC
Donna Oliver, Director of Pharmacy
Shannon G. Dwyer, VP & Associate General Counsel.
Mary J. Holtgrave, RPH, PIC
Cordell Davidson Cross, RPH
Ronald E. Landells, RPH

CALL TO ORDER

Chairperson Stanley Goldenberg called the meeting of the Southern Compliance Committee to order at 10:00 a.m.

A. APPEARANCES REQUIRED

1. Kenneth Lee Stein
RPH 38500, PIC

CI 2000 21163

Leonard H. Spitzer
RPH 21204

Vons Pharmacy #2175
La Quinta, CA
PHY 43059

Paul Knerr, Director of Pharmacy

Kenneth Lee Stein, Leonard H. Spitzer, and Vons Pharmacy #2175, were requested to appear at the Southern Compliance meeting as the result of an investigation that revealed that Kenneth Lee Stein dispensed Thyroid 60mg on a prescription calling for Thyroid 120mg.

On August 30, 2001, a letter of violation was issued to Kenneth Lee Stein and Vons Pharmacy #2175, for violation of:

- Business and Professions Code section 4301 – Unprofessional conduct.

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- California Code of Regulation section 1716 – Variation from a prescription.

The participants and the committee discussed the circumstances surrounding the violations and what corrective actions have been taken.

M/S/C: Hiura/Powers

The committee accepted the appearance of Kenneth Lee Stein, Leonard H. Spitzer, and Vons Pharmacy #2175; (a) the matter will be made a part of the record of Vons Pharmacy #2175, PHY 43059. No further action will be taken at this time.

2. Parviz Refoua
RPH 47071, PIC

CI 2000 20678

Youjin Lee
RPH 49906, PIC

Kirk Alan Shults
RPH 30839

Rite Aid #5792
Goleta, CA
PHY 42445

This appearance was postponed prior to this meeting of the Southern Compliance Committee, and will be rescheduled at a future meeting.

3. Angelita L. Quindoy CI 2001 22122
RPH 39327, PIC

Elizabeth Penez Manag
Non-Licensed Owner

Pharma Healthcare Systems
Los Angeles, CA
PHY 42144

This appearance was postponed prior to this meeting of the Southern Compliance Committee, and will be rescheduled at a future meeting.

4. Michael Randall Tom CI 2001 21742
RPH 39005, PIC

William Wong
RPH 28951, former PIC

Sun Plus Home Pharmacy Services
Culver City, CA
PHY 44394

Pat Abe, VP of Pharmacy Operations

Michael Randall Tom, William Wong and Sun Plus Home Pharmacy Services, were requested to appear at the Southern Compliance meeting as the result of an investigation that revealed that William Wong failed to complete a pharmacy self-assessment form, consistently document the IV hood cleaning and refrigerator temperature as required by parenteral pharmacies. In addition Sun Plus Home Pharmacy Services failed to submit the triplicate documents to the Department of Justice at the end of the dispensing month and had stopped performing IV end product testing for contamination.

On August 17, 2001, a violation notice was issued to William Wong and Sun Plus Home Pharmacy Services, for violation of:

- Business and Professions Code section 4301 – Unprofessional conduct.

- California Code of Regulation section 1715 – Self-assessment of a pharmacy by the pharmacist-in-charge.
- California Code of Regulation section 1751.7 – Parenteral therapy – quality assurance.
- Health and Safety Code section 11164 – Prescription for Schedule II, III, IV, and V controlled substances.

On March 6, 2002, a letter of violation was issued to William Wong and Sun Plus Home Pharmacy Services, for violation of:

- Business and Professions Code section 4301 – Unprofessional conduct.
- Code of Federal Regulations 1304.11 – Biennial Inventory.

The participants and the committee discussed the circumstances surrounding the violations and what corrective actions have been taken.

M/S/C: Powers/Hiura

The committee accepted the appearance of Michael Randall Tom, William Wong and Sun Plus Home Pharmacy Services; (a) the matter will be made a part of the record of William Wong, RPH 28951; (b) the matter will be made a part of the record of Sun Plus Services, PHY 44394. No further action will be taken at this time.

5. Van-Tung Vu CI 2000 21479
RPH 43622, PIC, Owner

Mission Pharmacy
Long Beach, CA
PHY 38002

Ronald S. Marks, Attorney at Law

Van-Tung Vu, and Mission Pharmacy, were requested to appear at the Southern Compliance meeting as the result of an investigation that revealed that Van-Tung Vu dispensed expired medications on several occasions.

On August 20, 2001, a violation notice was issued to Van-Tung Vu, and Mission Pharmacy, for violation of:

- Business and Professions Code section 4301 – Unprofessional conduct.
- Business and Professions Code section 4342 – Actions by board to prevent sales of preparations or drugs lacking quality or strength...

The participants and the committee discussed the circumstances surrounding the violations and what corrective actions have been taken.

M/S/C: Powers/Hiura

The committee accepted the appearance of Van-Tung Vu, and Mission Pharmacy; (a) the matter will be made a part of the record of Van-Tung Vu, RPH 43522; (b) the matter will be made a part of the record of Mission Pharmacy, PHY 38002; (c) Monthly follow up inspections are ordered for the next 90 days to ensure compliance with removal of outdated drugs from Mission Pharmacy's medication stock. No further action will be taken at this time.

6. Steven Robert Akana
RPH 37198, PIC

CI 2000 21428

Mark L. Baum
President

Asher Z. Gottesman
Director of Operations

Classic Care Pharmacy
Los Angeles, CA
PHY 45112

Leon M. Abela, Jr. BS., R.N., VP of Operations

Steven Robert Akana, and Classic Care Pharmacy, were requested to appear at the Southern Compliance meeting as the result of an investigation that revealed that Classic Care Pharmacy failed to maintain the confidentiality of its patients medical and prescription information.

On June 28, 2001, a violation notice was issued to Steven Robert Akana, and Classic Care Pharmacy, for violation of:

- Business and Professions Code section 4301 – Unprofessional conduct.
- California Code of Regulation section 1764 – Unauthorized disclosure of prescriptions.

Mark L. Baum failed to appear for this meeting of the Southern Compliance Committee.

The participants and the committee discussed the circumstances surrounding the violations and what corrective actions have been taken.

M/S/C: Powers/Hiura

The committee accepted the appearance of Steven Robert Akana, Asher Z. Gottesman, and Classic Care Pharmacy; (a) the matter will be made a part of the record of Steven Robert Akana, RPH 37198; (b) the matter will be made a part of the record of Classic Care Pharmacy, RPH 45112. No further action will be taken at this time.

7.	William Blair RPH 24486, PIC	CI 1999 17920
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Ronald M. McGuff
President

Mc Guff Compounding
Pharmacy Services, Inc.
Santa Ana, CA
PHY 43950

John A. Cronin, Attorney at Law
Laura Blair, RPH
Doug Tran, RPH
Damon Jones, Director of Operations

William J. Blair, Ronald M. McGuff, and McGuff Compounding Pharmacy Services, Inc., were requested to appear at the Southern Compliance meeting as the result of an investigation that revealed that McGuff Compounding Pharmacy Services, Inc., failed to maintain a complete compounding future use log.

On November 17, 2000, a letter of violation was issued to Willikam J. Blair, and McGuff Compounding Pharmacy Services, Inc., for violation of:

- Business and Professions Code section 4301 (o) – Unprofessional conduct.
- California Code of Regulation section 1716.2 – Record requirements compounding for future furnishing.

This case was then closed and on June 1, 2001, the board received a request from McGuff Compounding for rescission of the letter of violation.

William J. Blair PIC, Ronald M. McGuff, President, McGuff Compounding Pharmacy Services, Inc. requested an appearance before the Board to review circumstances relating to a November 17, 2000 letter of violation.

PIC Blair and McGuff presented documentation and testimony to the board members.

Upon review of the testimony and documentation provided, the members of the Southern Compliance Committee concluded that no violation occurred, and to take no further action will be taken at this time.

8.	Leland Wakamatsu RPH 28076, PIC	CI	2001	21979
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St. Mary's Regional Medical Center Pharmacy
Apple Valley, CA
HSP 18737

Donna Oliver, Director of Pharmacy
Shannon G. Dwyer, VP & Associate General Counsel

Leland Wakamatsu, and St. Mary's Regional Medical Center Pharmacy, were requested to appear at the Southern Compliance meeting as the result of an investigation that revealed that Leland Wakamatsu was subject to disciplinary action by the Nevada State Board of Pharmacy. St. Mary's Regional Medical Center Pharmacy submitted an application to the board to appoint Leland Wakamatsu as the new pharmacist-in-charge.

On January 4, 2002, Letters of violation were issued to Leland Wakamatsu, and St. Mary's Regional Medical Center Pharmacy, for violation of:

- Business and Professions Code section 4301 (f) – Unprofessional conduct.
- Business and Professions Code section 4301.5 (a) – Pharmacist license; Out-of-state suspension or revocation to apply to California license.

The participants and the committee discussed the circumstances surrounding the violations and what corrective actions have been taken.

M/S/C: Powers/Hiura

The committee accepted the appearance of Leland Wakamatsu, and St. Mary's Regional Medical Center Pharmacy; (a) the matter will be made a part of the record of St. Mary Regional Medical Center Pharmacy, HSP 18737. No further action will be taken at this time.

9.	Alice Yang Forest RPH 50114, PIC Karen K. Hashimoto RPH 45542, former PIC NKS Pharmacy Chino, CA PHY 41739	CI	2001	21670
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This appearance was postponed prior to this meeting of the Southern Compliance Committee, and will be rescheduled at a future meeting.

10.	Mary J. Holtgrave RPH 28774, PIC Cordell Davidson Cross RPH 30804 Ronald E. Landells RPH 20426	CI	2000	21154
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P.J.'s Prescription Shoppe
San Diego, CA
PHY 44961

Mary J. Holtgrave, Cordell Davidson Cross, Ronald E. Landells, and P.J.'s Prescription Shoppe, were requested to appear at the Southern Compliance meeting as the result of an investigation that revealed that a refill was dispensed for generic Vicodin early, and without prescriber authorization. In addition the pharmacy's computer system lacked clarity in identifying the prescription changes in quantity and directions for use.

On September 10, 2001, letters of violation were issued to Mary J. Holtgrave, and P.J.'s Prescription Shoppe, for violation of:

- Business and Professions Code section 4301 – Unprofessional conduct.
- Business and Professions Code section 4301 (j) – Unprofessional conduct, the violation of any statutes of this state or of the United States regulating controlled substances and dangerous drugs.
- Business and Professions Code section 4063 – Refill of prescription for dangerous drugs or device; prescriber authorization.
- California Code of Regulation section 1716 – Variation from prescription.
- California Code of Regulation section 1717 (b) – Pharmaceutical practice, the identity of the dispensing pharmacist.
- California Code of Regulation section 1717 (c) – Pharmaceutical practice, receipt of an orally transmitted prescription, the pharmacist shall reduce it to writing, initial the prescription.
- Code of Federal Regulations 1306.21 – Requirement of prescription.

The participants and the committee discussed the circumstances surrounding the violations and what corrective actions have been taken.

M/S/C: Powers/Hiura

The committee accepted the appearance of Mary J. Holtgrave, Cordell Davidson Cross, Ronald E. Landells, and P.J.'s Prescription Shoppe; (a) the matter will be made a part of the record of Mary J. Holtgrave, RPH 28774; (b) the matter will be made a part of the record of P.J.'s Prescription Shoppe, PHY 44961. No further action will be taken at this time.

There being no further discussion the meeting adjourned at 4:15 p.m.